



The State of New Hampshire
Department of Environmental Services



Michael P. Nolin
Commissioner
October 8, 2004

CERTIFIED MAIL
7000 1670 0000 0585 8728
RETURN RECEIPT REQUESTED

NOTICE OF PAST VIOLATION

JMD Industries Inc.
One Park Avenue
Hudson, NH 03051

Ms. Allison Viger

JMD Industries, Inc.
One Park Avenue
EPA ID # NHD982716227

Dear Ms. Viger:

On September 23, 2004, the Department of Environmental Services, Waste Management Division ("DES") conducted an inspection of JMD Industries, Inc. ("JMD"). The purpose of this inspection was to determine JMD's compliance status relative to the Application for Renewal to Limited Permit # DES-HW-98-007, pursuant to RSA 147-A and Env-Wm 353.

As a result of the inspection and review of the information provided to DES, the following deficiencies were documented:

Env-Wm 353.04(f) – Limited Permit Inspections

At the time of inspection, JMD was not performing inspections of the wastewater treatment/elementary neutralization unit as required by Env-Wm 353.04(f).

Env-Wm 353.04(f) requires operators to inspect wastewater treatment/ elementary neutralization units for malfunctions and deterioration, operator errors, and discharges that may be causing or may lead to, an unauthorized release of hazardous waste to the environment or a threat to human health. The inspections must be conducted according to the requirements of Env-Wm 353.04(g).

DES requested that JMD develop and implement an inspection schedule for the wastewater treatment/elementary neutralization unit. The inspections were to be designed in accordance with the requirements of Env-Wm 353.04(g) and recorded in a log.

In a September 23, 2004, fax submittal, Ms. Allison Viger, Vice President, provided a copy of the wastewater treatment facility inspection schedule/record. No further action is required.

DES believes the deficiency identified during the inspection has been corrected and acknowledges receipt of a report describing the corrective measure taken by JMD to achieve compliance. Accordingly, no further action in response to the listed deficiency is required. However, DES personnel may reinspect your facility at a later date to determine whether the facility is maintaining full compliance with the applicable rules. Fines may also be pursued for any or all violations observed during this or subsequent inspections of the facility in terms of your Limited Permit.

Enclosed you will find a copy of the completed Limited Permit Requirements Module which documents the compliance status of your facility at the time of the inspection. This checklist may also be of value to you for use in determining future compliance with the New Hampshire Hazardous Waste Rules in terms of your Limited Permit.

The State of New Hampshire Hazardous Waste Rules, as well as much other useful information, can be obtained from DES's website at <http://www.des.state.nh.us/hwcs/>, or by contacting the Public Information Center at (603) 271-2975.

It is the goal of DES to promote the prevention of pollution at the source as the preferred option for meeting established environmental quality goals. We strive to ensure that pollution prevention options are considered first, followed by recycling, treatment and disposal. I am requesting that the DES's Pollution Prevention Coordinator, Stephanie D'Agostino, contact you to discuss possibilities for waste minimization or source reduction at your facility. In the meantime, if you have immediate questions about pollution prevention, please feel free to contact her at 271-6398.

As a service to New Hampshire's hazardous waste generators, we maintain a Hazardous Waste Assistance Hotline which is available for you to contact our knowledgeable staff of hazardous waste inspectors. Our hazardous waste staff is available to answer your questions concerning the New Hampshire Hazardous Waste Rules and the compliance issues which affect your hazardous waste management program. The technical assistance available through the Hotline includes fact sheets that pertain to the management and recycling of specific wastes, summary sheets of specific sections of the Hazardous Waste Rules, copies of EPA and New Hampshire hazardous waste policy or regulatory interpretation letters that may benefit your operation, and networks with other state or federal agencies to answer your questions on a national level. The Hotline is available Monday through Friday, 8:00 AM to 4:00 PM toll free at (866) HAZ-WAST (in-state only) or at (603) 271-2942.

If you believe that the deficiencies documented in this NOPV have been cited in error, or if you have any questions regarding this letter, please contact the lead inspector, Linda Birmingham or Wendy Bonner, Waste Management Engineer at 271-2942. Specific questions regarding water related issues may be directed to Stergios Spanos of DES's Water Division at 271-6637. and for

air related issues, please contact Pam Monroe of DES's Air Resources Division at 271-1370.
Thank you for your cooperation.

Sincerely,

COPY

John J. Duclos, Supervisor
Hazardous Waste Compliance Section
Waste Management Division

cc: DB/RCRA/NOPV/Archives
Anthony P. Giunta, P.G., Director, Waste Management Division
Gretchen R. Hamel Esq., Administrator, DES Legal Unit

E-mail: JJD/SS/SD//PM

Enclosure: Inspection Module



WJB

LIMITED PERMIT REQUIREMENTS MODULE

EPA Identification Number: 982716227

DBA Name: JMD Industries Inc.

Inspection Date: 9/23/04

Inspection Checklist for FQG's with Limited Permits

1. Limited Permit Requirements

- a) If required, has an application for permit renewal been submitted? ☐ YES
- b) Is unknowing or unauthorized entry to the elementary neutralization or waste water treatment unit prevented? ☐ YES
- c) Inspections:
- i. Is there a written inspection schedule (weekly inspections recommended)? ☐ NO
- ii. Is the schedule kept at the facility? ☐ NO
- iii. Does schedule identify what to look for (i.e. malfunctions, deterioration, operator errors, discharges)? ☐ NO
- iv. Are detected malfunctions, deteriorations, etc. corrected? ☐ NO
- v. Are inspections recorded in a log? ☐ NO
- vi. Does the inspection log include:
- a. Date and time of inspection? ☐ NO
- b. Name of the inspector? ☐ NO
- c. Notation of observations? ☐ NO
- d. Date & nature of repairs or remedial actions? ☐ NO
- vii. Is the log maintained for three years? ☐ NO

Comments:

On September 23, 2004, the same day as the DES inspection, JMD faxed over the inspection log for the wastewater treatment facility.